

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COUNTERBALANCED ADVANCING METAL CUTTING SAW

the specification of which.

is attached hereto.

I was filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY FOREIGN APPLICATION(S)

Priority Claimed

| | | | | |
|-----------------|------------------|-------------------------------|------------|------------|
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <u>[]</u> | <u>[]</u> |
|-----------------|------------------|-------------------------------|------------|------------|

Yes No

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| | | |
|---------------------------------|----------------------|--|
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <u>(Status) (patented, pending, abandoned)</u> |
|---------------------------------|----------------------|--|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint John F. Hoffman, Regis. No. 26,280; Anthony Niewyk, Regis. No. 24,871; Kevin R. Erdman, Regis. No. 33,687; Michael D. Smith, Regis. No. 40,181; Michael S. Gzybowski, Regis. No. 32,816; Michael D. Schwartz, Regis. No. 44,326; Scott M. Lohnes, Regis. No. 45,451; Steven M. Hanley, Regis. No. P-46,756; Adam F. Cox, Regis. No. P-46,644; Arthur R. Whaley, Regis. No. 18,778; Edward J. Prein, Regis. No. 37,212; Michael D. Beck, Regis. No. 32,722; Deborah R. Beck, Regis. No. 37,370; Jeffrey A. Michael, Regis. No. 37,394; Eric J. Groen, Regis. No. 32,230; Gerard T. Gallagher, Regis. No. 39,679; and Robert D. Null, Regis. No. 40,746; of BAKER & DANIELS, as attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

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BAKER & DANIELS
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Full name of sole or first inventor: Delmar Langer

Residence: Fort Wayne, Indiana Citizenship United States of America

Post Office Address 2705 Fair Creek Road, Woodburn, Indiana 46797

Inventor's Signature Delmar L. Langer Date Dec. 29, 2000

APPLICANT OR PATENTEE: Delmar Lanzer Attorney's Docket No.: MRI0003

SERIAL NO. OR PATENT NO. _____

FILED OR ISSUED: _____

TITLE: COUNTERBALANCED ADVANCING METAL CUTTING SAW

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Del-Saw, Inc.

ADDRESS OF CONCERN: 1539 Estella
Fort Wayne, IN 46803

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I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

COUNTERBALANCED ADVANCING METAL CUTTING SAW

By inventor(s) Delmar Lanzer
described in:

the specification filed herewith.

Application Serial No. _____, filed _____.

Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by a concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

FULL NAME: _____

ADDRESS: _____

ORGANIZATION INDIVIDUAL SMALL BUSINESS CONCERN NON PROFIT

FULL NAME: _____

ADDRESS: _____

ORGANIZATION INDIVIDUAL SMALL BUSINESS CONCERN NON PROFIT

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the

time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Leatha L. Blazetic

TITLE OF PERSON OTHER THAN OWNER: Chief Executive Officer

ADDRESS OF PERSON SIGNING: 1539 Estella, Fort Wayne, IN 46803

SIGNATURE: Reatha L. Blaylock DATE: 12-20-00

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